THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9591 of 2003

05.7.2007

Between:

Smt.Vamisetti Satyavathi, W/o.Satyanarayana
And others

… Petitioners

AND

The Special Deputy Collector (TW), K.R.Puram, West Godavari,
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9591 of 2003

ORDER:

The petitioners are statedly owners of land admeasuring Acs.7.50 in R.S.No.41/2 sitauted at Jainvarigudem village of Buttaigudem Mandal in West Godavari District. It appears, the grandfather of the petitioners purchased land prior to commencement of Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (the Regulation, for brevity), as amended by Regulation I of 1970. In 1996, action was initiated against the father of petitioners 1 and 2 under the Regulation. By an order dated 08.2.1997, first respondent dropped the proceedings. In 2003, second respondent issued notice to the petitioners informing that the first respondent passed orders in S.R.No.15 of 2002, dated 18.12.2002, directing the Mandal Revenue Officer, Buttaigudem Mandal (MRO), to evict the petitioners and therefore he directed the petitioners to produce the records relating to the lands. Aggrieved by the same, the present writ petition is filed.

The only contention raised by the learned Counsel for the petitioners is that earlier proceedings initiated against the petitioners' predecessors were dropped. Therefore the first respondent could not have again directed the second respondent to take possession of the lands. The respondents have not filed counter affidavit. Be that as it is, second respondent only issued notice requiring the petitioners to produce the entire record relating to the schedule lands. Pursuant to such notice, the petitioners ought to have approached the second respondent and produce a copy of the order passed by the first respondent in S.R.Nos.208 of 1996 and batch. Without doing so, the petitioners rushed to this Court. As the impugned order is in the nature of notice, this Court is not inclined to interfere in the matter at this stage. The petitioners may approach the second respondent and produce all the necessary documents including the copy of the order passed by the first respondent in the earlier proceedings under the Regulation, in which event, second respondent may look into the same

and send a report to the first respondent before taking further action in the matter.

The writ petition, with the above observations, is accordingly disposed of. No costs.

July 05, 2007. (**V.V.S.RAO,J**)

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